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SIPDIS

SENSITIVE

DEPT FOR PM, EUR/RPM AND EUR/WE

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SUBJECT: U.S./FRANCE: THE CASE FOR RENEWING AND
NEGOTIATING NEW MIL/MIL SCIENCE, RESEARCH AND
TECHNOLOGY AGREEMENTS

1. THIS CABLE CONTAINS AN ACTION REQUEST FOR PM AND
EUR/RPM IN PARAGRAPH 7.

2.SUMMARY: WE CONTINUE TO COUNT ON FRENCH SUPPORT IN
THE WAR AGAINST TERRORISM, AND IN A VARIETY OF
INTERNATIONAL FLASHPOINTS, INCLUDING AFGHANISTAN,
AFRICA, THE BALKANS, THE MIDDLE EAST AND HAITI. IN A
NUMBER OF CASES, THIS TRANSLATES INTO COOPERATIVE
ENGAGEMENT WITH THE FRENCH MILITARY. FUTURE
SUCCESSFUL COOPERATION OF THIS KIND DEPENDS ON THE
ROUTINE EXCHANGE OF INFORMATION, WHICH IN TURN
REQUIRES THE EVALUATION AND RENEWAL OF EXISTING
SCIENCE, RESEARCH AND TECHNOLOGY AGREEMENTS AND THE
NEGOTIATION OF NEW AGREEMENTS IN THESE AREAS. THE
CURRENT POLITICAL CONTEXT -- THE DEFEAT OF THE
REFERENDUM ON THE CONSTITUTION, PRESIDENT CHIRAC'S
DECLINING POLITICAL FORTUNES, AND THE RISE OF HIS
MORE ATLANTICIST RIVAL NICOLAS SARKOZY -- IS ONE
MARKED BY A TURNING INWARD OF THE POLITICAL ELITE. A
U.S. INITIATIVE NOW ON THIS SUBSET OF MIL/MIL
AGREEMENTS WOULD SERVE OUR INTERESTS BY KEEPING THE
FRENCH ENGAGED, AND BY FACILITATING POSITIVE MOVES BY
THOSE, SUCH AS SARKOZY, WHO SEEK TO TAKE FRENCH
POLICY IN A MORE TRANSATLANTIC DIRECTION. EMBASSY
RECOMMENDS THAT THE DEPARTMENT AND DOD/OSD REVIEW
STEPS NECESSARY TO COMPLETE/RENEW THESE AGREEMENTS,
AS SOON AS POSSIBLE. END SUMMARY AND ACTION REQUEST.

2.DEFENSE COOPERATION AGREEMENTS PERMIT BOTH THE
EXCHANGE OF SPECIFIED INFORMATION WITHIN DEFINED AND
AGREED PARAMETERS AND COOPERATIVE DEVELOPMENT
PROGRAMS TO FACILITATE THE RESEARCH, DEVELOPMENT, AND
TESTING OF NEW CONCEPTS AND EXISTING DESIGNS. THESE
AGREEMENTS ARE SEPARATELY NEGOTIATED WITH VARYING
TERMS OF VALIDITY USUALLY BETWEEN FOUR AND TEN YEARS.
WHEN THEY EXPIRE THEY MUST BE RENEWED, AMENDED OR
RENEGOTIATED IF THEY ARE TO STAY IN FORCE. THE VALUE
OF THESE AGREEMENTS COMES FROM THE FRAMEWORK THEY
ESTABLISH TO ENABLE RAPID EXPLOITATION OF MUTUALLY
BENEFICIAL COOPERATION. WHEN COOPERATION IS NOT
DESIRED OR MUTUALLY AGREEABLE THESE AGREEMENTS DO NOT
CONSTITUTE AN OBLIGATION TO COOPERATE WITH THE OTHER
PARTY. THEY ARE STRICTLY VOLUNTARY IN NATURE. A
FAILURE TO RENEGOTIATE THESE AGREEMENTS IS ERODING
THE HISTORICALLY STRONG MIL-MIL INDUSTRIAL
RELATIONSHIP AND MAY LEAD TO A WEAKENING OF THE
INTEROPERABILITY OF FRENCH FORCES DUE TO A LACK OF
THE NECESSARY FRAMEWORK FOR COOPERATION.

4. THERE ARE CURRENTLY SIX TYPES OF AGREEMENTS OR
REGIMES IN VARYING STATES OF HEALTH. WE NOTE THAT
THE FIRST THREE BELOW ARE IN NEED OF IMMEDIATE
ATTENTION TO MAINTAIN THE CAPACITY FOR TECHNICAL
INFORMATION EXCHANGE AND RESEARCH AND TECHNOLOGY
COOPERATION WITH THE FRENCH, WHEN NEEDED. THE NEXT
THREE PROGRAMS ARE IN GOOD HEALTH, ALTHOUGH MUCH MORE
MODEST IN SCOPE, MEANING THEY DO NOT PROVIDE A
SUFFICIENT FRAMEWORK FOR COOPERATION BY THEMSELVES.

A. ESEP: THE ENGINEER AND SCIENTIST EXCHANGE PROGRAM
INITIATED IN 1985 HAS ALLOWED OVER FORTY RESEARCHERS
FROM FRANCE AND THE U.S. TO WORK IN EACH OTHER'S
FACILITIES TO ADVANCE THEIR KNOWLEDGE AND PERFECT
RESEARCH IN A VARIETY OF DOMAINS. THIS AGREEMENT
PROVIDES RECIPROCAL ACCESS TO RESEARCH FACILITIES
LEADING TO EARLY EXCHANGE ON PROMISING TECHNOLOGIES
AND TECHNIQUES BETWEEN OUR SCIENTIFIC COMMUNITIES.
THE AGREEMENT WAS RENEWED FOR TEN YEARS IN 1994. IN
2004 THE AGREEMENT WAS AMENDED, NOT RENEWED, WITH
EXPIRATION SCHEDULED FOR 2006. CURRENTLY, THERE IS
AN OSD EFFORT TO EXTEND THE EXPIRATION UNTIL 2008 TO
ALLOW TIME FOR RENEGOTIATION OF THE AGREEMENT. WHILE
THIS WILL KEEP THE PROGRAM ALIVE IT DOES NOT ADDRESS
THE LONG-TERM NEED TO RE-NEGOTIATE THIS AGREEMENT TO
ENSURE U.S. INTERESTS ARE PROTECTED IN THIS RAPIDLY-
EVOLVING ENVIRONMENT. THERE ARE TWO FRENCH EXCHANGE
SCIENTISTS WORKING IN THE U.S., ONE AT THE SINGLE
INTEGRATED AIR PICTURE (SIAP) OFFICE AND ANOTHER ONE
AT THE AIR FORCE RESEARCH LAB. THE U.S. ARMY IS

PROVIDING A RESEARCHER TO A FRENCH LAB IN GRENOBLE FOR THE REMAINDER OF THE CURRENT TERM (2006).

1B. TRDP: THE TECHNOLOGY, RESEARCH AND DEVELOPMENT PROGRAM SIGNED IN 1994 EXPIRED IN 2004. A SUBSEQUENT AGREEMENT DESIGNED TO REPLACE IT, THE RESEARCH, DEVELOPMENT TECHNOLOGY AND EVALUATION MEMORANDUM OF UNDERSTANDING (RDT&E MOU) WAS NEGOTIATED BUT NEVER SIGNED. UNDER THE RDT&E MOU, COOPERATION WOULD BE PERMITTED, AMONG OTHER THINGS, ON ADVANCED CONCEPT TECHNOLOGY DEMONSTRATIONS (ACTDS) THROUGH MORE EASILY INITIATED PROJECT AGREEMENTS (PAS). WITHOUT AN OVERARCHING AGREEMENT, PROJECTS MUST BE NEGOTIATED AD HOC WITH ALL THE ATTENDANT DELAYS THAT ARE INHERENT IN THE NEGOTIATION PROCESS. AN APPROVED RDT&E MEMORANDUM WOULD ENSURE THE ABILITY TO RAPIDLY EVALUATE CRITICAL TECHNOLOGIES IDENTIFIED IN FRANCE WITH A POTENTIAL TO ENHANCE THE SAFETY, SURVIVABILITY AND EFFECTIVENESS OF OUR FORCES.

1C. DEAS: DATA EXCHANGE AGREEMENTS ARE NEGOTIATED BETWEEN SERVICES FOR SPECIFIED EXCHANGE OF INFORMATION. CURRENTLY THERE ARE APPROXIMATELY 80 AGREEMENTS IN FORCE (28 ARMY, 28 NAVY AND 21 AIR FORCE) WITH SEVERAL NEW AGREEMENTS PENDING APPROVAL. THESE AGREEMENTS HAVE VARYING EXPIRATION DATES AND THEIR RENEGOTIATION CAN BE A LENGTHY PROCESS. NUMEROUS DEAS ARE SET TO EXPIRE IN 2005 WITH NO CURRENT PLAN TO REVIEW OR RENEW THEM. WITHOUT THESE AGREEMENTS IN PLACE, COOPERATION ON URGENT ISSUES COULD BE DELAYED WHILE NEW NEGOTIATIONS ARE ACCOMPLISHED.

1D. TEP: THE TEST AND EVALUATION PROGRAM MOU WAS SIGNED IN 2003 AND PERMITS THE RECIPROCAL USE OF TEST FACILITIES (RUTF) AND POTENTIAL COOPERATIVE TEST AND EVALUATION (CTE) COOPERATION UNDER PROJECT AGREEMENTS (PAS) AS WELL AS THE LOAN OF TEST EQUIPMENT. IT IS IN EFFECT, BUT COVERS A VERY LIMITED AREA OF DEFENSE COOPERATION. BY ITSELF, THIS AGREEMENT IS INSUFFICIENT TO PROVIDE THE FRAMEWORK FOR COOPERATION IN RESEARCH AND OTHER DEVELOPMENT PROGRAMS. IT IS A COMPLEMENT TO THE OTHER AGREEMENTS IN THE RANGE OF OPTIONS AVAILABLE.

1E. ACTD: WE ARE CURRENTLY CONDUCTING TWO ADVANCED CONCEPT TECHNOLOGY DEMONSTRATION PROGRAMS WITH FRANCE, UNDER SEPARATE, STAND-ALONE AGREEMENTS, SINCE THE RTE AGREEMENT HAS NOT YET BEEN ESTABLISHED: SPARTAN (UNMANNED SURFACE VEHICLE OR USV) AND COMMON OPERATIONAL PICTURE (COP). THESE LAST TWO EXPERIMENTS REQUIRED INDIVIDUAL APPROVAL DUE TO THE LACK OF AN UMBRELLA AGREEMENT AND WOULD HAVE BEEN EASIER TO ACCOMPLISH UNDER THE RDT&E AGREEMENT. PROMISING TECHNOLOGIES LIKE THESE SHOULD NOT BE NEEDLESSLY DELAYED FROM CONSIDERATION IF AN ACCEPTABLE ALTERNATIVE EXISTS.

1F. FCT: OSD HAS FUNDED 77 FOREIGN COMPARATIVE TEST PROJECTS TO EVALUATE FRENCH MILITARY PRODUCTS SINCE 1980. TOTAL RESEARCH, DEVELOPMENT, TESTING, AND EVALUATION (RDT&E) COST AVOIDANCE HAS BEEN \$119 MILLION BY CHOOSING FRENCH PRODUCTS. THE TOTAL SPENT TO TEST ITEMS FROM FRANCE IS APPROXIMATELY \$95 MILLION. FOURTEEN PROJECTS WITH FRANCE HAVE RESULTED IN PROCUREMENTS AMOUNTING TO APPROXIMATELY \$561 MILLION.

15. OVER TIME, SEVERAL OF THE AGREEMENTS HAVE LAPSED OR WILL SOON LAPSE. WHILE THE AGREEMENTS FACILITATED COOPERATIVE RELATIONSHIPS, THEIR LACK OF RENEWAL WILL MAKE IT MORE DIFFICULT TO NEGOTIATE NEW EXCHANGES OTHER THAN ON A CASE-BY-CASE BASIS. THIS CASE-BY-CASE APPROACH SLOWS DOWN COOPERATION AND LEADS TO DELAYS IN RESEARCH, PRODUCTION AND EMPLOYMENT OF NEW SYSTEMS. ULTIMATELY, THE LACK OF AGREEMENT COULD DEPRIVE OUR MILITARY OF USEFUL MATERIEL THAT COULD SAVE LIVES.

16. WHILE THE LOSS OF THESE AGREEMENTS IS NOT ALWAYS IMMEDIATELY EVIDENT AT ALL LEVELS, THEIR CONTINUED DELAYED NEGOTIATION AND NON-RENEWAL COULD HAMPER FUTURE COOPERATION WITH THE FRENCH MILITARY AND INDUSTRY IN A TIME OF CRISIS. WE CONTINUE TO COUNT ON FRENCH SUPPORT IN THE WAR AGAINST TERRORISM, AS WELL AS IN NATO ON AFGHANISTAN, DARFUR, THE BALKANS AND WITH THE IRAQ TRAINING MISSION. OUR SUCCESSFUL ENGAGEMENT WITH THE FRENCH MILITARY IN DEALING WITH THESE CRISES AND POSSIBLE FUTURE EVENTS WILL DEPEND, IN PART, ON THE ABILITY TO RAPIDLY EXPLOIT COOPERATIVE OPPORTUNITIES WHEN THEY ARISE.

17. FOLLOWING THE MAY 29 REFERENDUM DEFEAT OF THE EUROPEAN DRAFT CONSTITUTION, FRANCE HAS BECOME INCREASINGLY INWARD-LOOKING. PRESIDENT CHIRAC, WITH 21 MONTHS AS A LAME DUCK REMAINING IN HIS TERM, IS

INCREASINGLY CHALLENGED BY HIS POWERFUL INTERIOR MINISTER, NICOLAS SARKOZY, WHOSE ANNOUNCED INTENTION TO SUCCEED CHIRAC IS THE DOMINANT FEATURE OF THE CURRENT POLITICAL SCENE. SARKOZY'S IDENTIFICATION AS AN ATLANTICIST HAS NOT, THUS FAR, HARMED HIS STANDING IN THE OPINION POLLS. AS WE SEE IT, COOPERATION INITIATIVES BELOW THE POLITICAL RADAR CAN HELP KEEP FRANCE ENGAGED DURING A PERIOD OF REDUCED FOREIGN AND SECURITY POLICY FOCUS. THEY CAN ALSO -- BY DEMONSTRATING U.S. GOOD WILL DURING A TIME OF RELATIVE DIFFICULTY FOR THE FRENCH GOVERNING ELITE - HELP OPEN THE WAY FOR A FUTURE FRENCH ADMINISTRATION PREPARED TO MOVE AWAY FROM CHIRAC'S STRESS ON MULTIPOLARITY AND TOWARD A MORE ATLANTICIST RECENTERING OF FRENCH POLICY.

18. ACTION REQUEST: VOLUNTARY AND MUTUALLY BENEFICIAL, THE AGREEMENTS OVER THE YEARS HAD BROUGHT TANGIBLE BENEFITS TO U.S. RESEARCH, INNOVATION AND ACQUISITION IN THE MILITARY INDUSTRIAL FIELD. THEY MOST CLEARLY SERVE U.S. INTERESTS. EMBASSY RECOMMENDS THAT DEPARTMENT (PM BUREAU AND EUR/RPM) ASSESS WITH DOD/OSD COUNTERPARTS THE CURRENT STATUS OF THESE AGREEMENTS, IDENTIFY PENDING, EXPIRED OR EXPIRING ACCORDS AND PRODUCE AN ACTION PLAN FOR COMPLETING, RENEWING OR RENEGOTIATING THE AGREEMENTS ON AN URGENT BASIS.

STAPLETON